

No.	Executive Officer.	Nature and Locality of Work.	Amount sanctioned.
			Rs.
7	Executive Engineer, Khándesh ...	Concrete floor to the store-room, &c., of Range Forest Office, Sindkheda ...	38
8	Do. Násik ...	Providing iron barred frames to the windows of the Divisional Forest Officer's bungalow ...	30
9	Do. Poona ...	Fixing a small gate in the verandah of the Range Forest Office at Vadgaon ...	19
10	Do. Sátára ...	Providing two new windows to the Office of the Divisional Forest Officer, New Adálat Váda ...	63
11	Do. Ahmednagar	For paving the floor of the Hirda Depôt at Koltembhe ...	190
12	Do. do.	Do. do. at Tale ...	190
13	Do. do.	Do. do. at Shirpunje ...	100
14	Do. Khándesh.	Substituting a teak board window in place of a glass one to the Range Forest Office at Navápur ...	7
Total ...Rs.			1,404

54. The following additional works were constructed by the Public Works Department during the year at the cost of the Provincial Service Budget :—

A forest depôt house on a sanctioned plan and estimate has been constructed at Karanjali, in the Násik Division, at a cost of Rs. 1,515.

The construction of the Range Forest Office at Vadgaon in the Poona Division, which was commenced in 1891-92, was completed during the year by the Executive Engineer, Poona, and a record room for the Divisional Forest Officer, Poona, was built in the Haveli Mámlatdár's kacheri.

The Executive Engineer, Sátára, constructed stabling for two horses near the forest bungalow at Lingmala at a cost of Rs. 339, which amount was transferred to the Provincial Service Budget from the Forest Budget under the orders of Government.

55. The following table gives the expenditure incurred by the Divisional Forest Officers in building rest-houses, temporary depôt houses, forest guards' huts, mandows or sheds for temporary depôt establishments, &c. :—

No.	Division.	Amount.
		Rs. a. p.
1	East Khándesh ...	392 8 0
2	West Khándesh ...	1,559 14 5
3	Násik ...	125 8 0
4	Ahmednagar ...	.....
5	Poona ...	20 0 0
6	Sátára ...	98 0 3
7	Sholápur ...	2 8 0
Total ...		2,198 6 8

(b). PROTECTION OF FORESTS FROM INJURY.

(1). General Protection and Breaches of Forest Law.

56. 85 cases in respect of which complaints had been laid before Magistrates against forest offenders by Forest Officers were awaiting trial at the opening of the year ; and 1,439 new cases were sent up to the Criminal Courts during the fifteen months, making 1,524 cases on the registers. Out of these, 1,402 cases were disposed of during the year, with the result that convictions were obtained in 1,009 cases, and 393 cases were acquitted ; 2,436 persons were convicted and punished, and 1,267 persons escaped under the 393 acquitted cases. At the close of the year, 122 cases were pending.

57. A comparison between the number of cases tried by Magistrates for breaches of the forest law during the year under report and the year preceding, with the results of trials, is given in the following table :—

No.	Division.	1891-92.		1892-93.		PERCENTAGE OF FAILURES.	
		Prosecu- tions.	Acquittals.	Prosecu- tions.	Acquittals.	1891-92.	1892-93.
1	East Khándesh ...	44	8	71	15	18·1	21·1
2	West Khándesh ...	76	18	80	13	23·6	16·2
3	Násik ...	118	18	138	42	15·2	30·0
4	Ahmednagar ...	166	36	188	37	21·6	19·6
5	Poona ...	241	58	618	201	24·0	32·5
6	Sátára ...	105	27	206	60	25·7	29·1
7	Sholápur ...	176	55	103	25	31·2	24·2
	Total ...	926	220	1,402	393	23·7	28·0

58. As the above figures under 1892-93 cover a period of fifteen months, the following statement, which furnishes the figures from 1st April 1892 to 31st March 1893, and consequently gives a comparison for an equal period of time to that of 1891-92, viz. twelve months, is entered :—

No.	Division.	1891-92.		1892-93.		PERCENTAGE OF FAILURES.	
		Prosecu- tions.	Acquittals.	Prosecu- tions.	Acquittals.	1891-92.	1892-93.
1	East Khándesh ...	44	8	52	11	18·1	21·1
2	West Khándesh ...	76	18	58	9	23·6	15·5
3	Násik ...	118	18	127	40	15·2	23·6
4	Ahmednagar ...	166	36	165	31	21·6	18·7
6	Poona ...	241	58	543	172	24·0	31·6
6	Sátára ...	105	27	142	45	25·7	31·6
7	Sholápur ...	176	55	90	22	31·2	24·4
	Total ...	926	220	1,177	330	23·7	28·0

In the East Khándesh Division the number of prosecutions has risen by 8 only, and the percentage of failures has also risen from 18·1 to 21·1. The cause of the increase is that several cases of evasion of payment of duty on foreign timber imported into Khándesh were successfully prosecuted this year, while in the preceding year they had been disposed of under Section 67 of the Forest Act. The reason for the rise in the percentage of failures \* \* \* is ascribed to the prosecution witnesses, who had previously made statements incriminating the accused, retracting when examined before Magistrates.

There is a decrease in the number of prosecutions in the West Khándesh Division for the twelve months ; and the percentage of failures has fallen from 23·6 to 15·5.

In the Násik Division the number of new cases in twelve months has risen from 118 to 127, and the percentage of failures is 8·4 greater than that of the preceding year. Of the 42 cases acquitted during the forest year, 34 were dismissed for want of sufficient proof, 7 as trivial, and 1 case, in which the offenders were charged for cutting bábul firewood in the forests of Belgaon Dhága of the Násik Range, where there was unauthorized cutting of over 250 bábul and other trees, was dismissed, for the reason that the Magistrate held that under the Act No. V of 1890 to amend the Indian Forest Act, 1878, "Firewood" is not included in the definition of either "Timber" or "Forest Produce."

There is a decrease in the number of prosecutions undertaken during the first twelve months in the Ahmednagar Division ; and the percentage of failures has gone down from 21·6 to 18·7.

In the Poona Division, 549 new cases were sent for prosecution up to the 31st March 1893, or more than double the number of the preceding twelve months ; and the cause for this is explained to be the orders contained in paragraph 6 of Government Resolution No. 8626, dated 30th November 1892, in the Revenue Department, according to which 321 cases under Section 25 (*d*) of the Forest Act, "any person who trespasses or pastures cattle or permits cattle to trespass," were, instead of being compounded as heretofore under Section 67 of the Forest Act, required to be sent up to the Magistrates.

The percentage of failures has risen from 24·0 to 31·6, and the Divisional Forest Officer, Mr. Wilkins, states that this increase is due to the erroneous interpretation given by the Subordinate Magistrates to paragraph 3 of Government Resolution No. 7907, dated 6th October 1892, in the matter of the treatment of "trivial offences." A large number of cases of deliberate and wilful infraction of the forest law, sent up by the Divisional Forest Officers for trial, was let off by the Magistrates, because the "damage" had been assessed by prejudiced and interested village panchas at ridiculously low amounts, which had as little bearing on the gravity of the offence, seeing that it was malicious and intentional crime, as was its pretence to represent the real amount of injury done to forestry.

The most serious offences that occurred were in the villages of Nigdale, Kondwal and Terungan on the gháts in the A'mbegaon Range, where, during the months of April, May and June 1892, very extensive tracts of evergreen forests covering an area of between 500 to 900 acres were cut down and burnt by certain villagers for dalhi cultivation. The true facts of the destruction done to the Government forests were suppressed by both the forest subordinates and local village officers, and reports made to the Divisional Forest Officer stated that a few loads of ráb of small value had been cut, with the result that the offenders got off in some cases with petty fines inflicted by the local Magistrate, and in others by offering small sums by way of compensation for their offence to the Divisional Forest Officer under Section 67 of the Forest Act. The true state of affairs was brought to light through anonymous petition, which raised suspicion, and led the Divisional Forest Officer, and the Conservator, to visit the scene of destruction. The conduct of the forest subordinates concerned has been considered departmentally, and the case was reported fully to the Collector for disposal by him, and it was under that officer's consideration when the year closed.

The next serious case worthy of mention was the cutting and removal of 425 teak and 366 junglewood trees in the forest of Kikwi in the Purandhar Range. No report of this theft was made by the local forest subordinates, but the Range Forest Officer came to hear of it, and instituted inquiries with the help of the Mámlatdár, Mr. R. K. Sháhane, and the Police, and in the prosecutions that followed succeeded in securing convictions in 18 out of the 29 cases that were tried. The round guard and one beat guard were reduced, and one beat guard was dismissed.

A third case of importance was in the Haveli Range, where the Pátíl of Nande cut 120 teak rafters in the forest of that village, and on being prosecuted was fined Rs. 100 *plus* Rs. 50 damages, or, in default, one month's rigorous imprisonment.

The cases prosecuted in the course of the first twelve months of the forest year in the Sátára Division exceeded by 37 the number of the year before, and the percentage of failures shows a slight increase. The Divisional Forest Officer complains that some of the Subordinate Magistrates deal out very lenient law to the offenders, and dismiss them on the grounds that "the offences were not intentionally committed, and the accused had no intention of setting the forest on fire when he was smoking in the forest, and therefore is not guilty ;" and in cases in which men of position, such as pátíls, &c., are accused, they are dismissed, on the plea that they are not the sort of men to trespass cattle. It is no wonder, then, that cases which are fully scrutinized by the Divisional Forest Officer before

they are sent for trial, should go to increase the percentage of failures, for the Forest Act does not recognize intention, and the Divisional Forest Officer in his treatment of forest offences is guided by the Forest Act, while the Subordinate Magistrates ignore the forest law on the point, and require "intention" to be proved.

In the Sholápur Division there is a very marked decrease in forest crime for which no explanation is given : in twelve months the number of cases prosecuted before the Magistrates went down to 90, and in fifteen months to 103 from 176 in 1891-92. The people of the district cannot have learnt so suddenly to keep their hands from picking and stealing timber and other forest produce, the property of Government; and also to give up their habits of trespassing and illicitly pasturing their cattle within reserved forests. It is much more likely that the Divisional Forest Officer has refrained from prosecuting a number of offences of a certain class, on the grounds of their "triviality" in the light of the value of damage done to the forest, or of the value of the timber or other forest produce stolen, in the estimation of a panch or committee of villagers, which class of offences used previously to be sent up before the Magistrates for trial.

59. The following statement gives a classification of the cases disposed of during the forest year :—

No.	Division.	OFFENCES RELATING TO THE MISAPPROPRIATION OF				Total.
		(a) Timber.	(b) Firewood.	(c) Other Minor Produce.	(d) Other Offences.	
1	East Khándesh ...	14	17	...	40	71
2	West Khándesh ...	24	20	...	36	80
3	Násik ...	53	...	1	82	136
4	Ahmednagar ...	7	21	3	157	188
5	Poona ...	71	102	8	437	618
6	Sátára ...	39	16	43	108	206
7	Sholápur ...	1	5	1	96	103
	Total ...	209	181	56	956	1,402

60. The classification of the cases compounded under Section 67 of the Forest Act during the year is given below, as desired in Government Resolution No. 7232, dated 12th September 1892, in the Revenue Department :—

No.	Division.	OFFENCES RELATING TO THE MISAPPROPRIATION OF				Total.
		(a) Timber.	(b) Firewood.	(c) Other Minor Produce.	(d) Other Offences.	
1	East Khándesh ...	3	212	7	444	666
2	West Khándesh ...	55	58	36	426	575
3	Násik ...	505	...	1	557	1,063
4	Ahmednagar ...	4	131	1	2,624	2,760
5	Poona ...	90	366	15	1,806	2,277
6	Sátára ...	173	121	74	373	741
7	Sholápur ...	...	37	13	1,515	1,565
	Total ...	830	925	147	7,745	9,647

61. An account of cases prosecuted and of cases compounded by Divisional Forest Officers under Section 67 of the Forest Act, during the year of the report,

is given in the subjoined statement, as directed in Government Resolution No. 3527 of 2nd May 1884, in the Revenue Department:—

No.	Division,	TAKEN INTO COURT.		COMPOUNDED UNDER SECTION 67 OF THE FOREST ACT.		TOTAL NUMBER OF CASES.	
		1891-92.	1892-93.	1891-92.	1892-93.	1891-92.	1892-93.
1	East Khándesh ...	44	71	1,570	666	1,614	737
2	West Khándesh ...	76	80	1,248	575	1,324	655
3	Násik ...	118	136	1,472	1,063	1,590	1,199
4	Ahmednagar ...	166	188	2,941	2,760	3,107	2,948
5	Poona ...	241	618	2,063	2,277	2,304	2,895
6	Sátára ...	105	206	923	741	1,028	947
7	Sholápur ...	176	103	1,608	1,565	1,784	1,663
	Total ...	926	1,402	11,825	9,647	12,751	11,049

62. And a comparison of compounded cases and of the sums of money accepted by way of compensation for the forest offences over the two corresponding periods of twelve months each, is presented in the following table:—

No.	Division.	1891-92.		1892-93. 1ST APRIL 1892 TO 31ST MARCH 1893.	
		Cases compounded.	Amount of compensation.	Cases compounded.	Amount of compensation.
			Rs.		Rs.
1	East Khándesh ...	1,570	5,717	634	2,273
2	West Khándesh ...	1,248	5,720	575	2,493
3	Násik ...	962	4,828	1,056	6,416
4	Ahmednagar ...	2,941	5,291	2,275	4,510
5	Poona ...	2,061	3,858	2,210	7,756
6	Sátára ...	923	1,688	542	899
7	Sholápur ...	1,608	2,165	1,305	1,754
	Total ...	11,313	29,267	8,597	26,101

63. The total of the sums which were accepted under Section 67 of the Forest Act, in the several divisions of the Central Circle, during the forest year, by way of compensation for forest offences, is given in the following statement, as ordered in Government Resolution No. 8738, dated 24th December 1887, in the Revenue Department. The amounts were credited without any deduction in respect of any rewards which may have been given to persons who may have contributed to the detection of the offenders, under Receipts V (c), in accordance with the system of classification of forest accounts prescribed in the list published with Government Resolution, in the Revenue Department, No. 2420, dated 8th April 1891:—

No.	Division.	Amount.
		Rs.
1	East Khándesh ...	2,300
2	West Khándesh ...	2,493
3	Násik ...	6,275
4	Ahmednagar ...	4,816
5	Poona ...	8,044
6	Sátára ...	1,254
7	Sholápur ...	1,837
	Total ...	27,019



64. The following statement shows the number of compounded cases, in connection with which rewards were paid to the persons who had contributed to the detection of the cases, together with the amounts of the rewards thus paid, under the orders of Government Resolution No. 8568, dated 16th December 1887, in the Revenue Department:—

No.	Division.	Number of compounded cases.	Rewards amounting to												Amount	REMARKS.
			Rs. 1.	Rs. 2.	Rs. 3.	Rs. 4.	Rs. 5.	Rs. 6.	Rs. 7.	Rs. 8.	Rs. 9.	Rs. 10.	Above Rs. 10.			
														Rs.		
1	East Khándesh...	50	14	16	10	2	11	...	1	...	...	1	1*	171	*Actually paid, Rs. 18.	
2	West Khándesh	2	...	1	...	...	...	...	...	...	...	1	...	12		
3	Násik ...	168	93	42	19	11	13	5	1	1	1	...	21	343	†Below Rs. 15.	
4	Ahmednagar ...	1	...	...	...	...	...	...	...	...	...	...	1	20		
5	Poona ...	271	181	50	8	6	9	5	...	1	...	2	...	402		
6	Sátára ...	403	435	47	8	2	...	1	...	...	...	...	...	261		
7	Sholápur...	...	...	...	...	...	...	...	...	...	...	...	...	...		
	Total ...	1,011	723	165	45	21	33	11	2	2	1	4	4	1,209		

It will be perceived that out of a total number of 9,647 cases compounded with a total sum of Rs. 27,019, rewards amounting to Rs. 1,209 have been paid in 1,011 cases. The cost of rewards is charged in the forest accounts to A. IX (c) against Budget provision.

65. As directed in paragraph 11 of Government Resolution No. 1899, dated 13th March 1891, a statement showing the number of cases sent up to the Divisional Forest Officers for consideration under Section 67 of the Forest Act, and their subsequent disposal, is given below:—

No.	Division.	Number of cases sent up to Divisional Forest Officers for consideration under Section 67 of the Forest Act.	Number of cases disposed of under Section 67 by acceptance of compensation.	Number of cases not entertained, but let off with a warning.	Number of appeals against the proceedings.	Manner in which appeals have been disposed of.	REMARKS.
1	2	3	4	5	6	7	8
1	East Khándesh ...	707	666	41	.....	.....	
2	West Khándesh ...	575	575	.....	.....	.....	
3	Násik ...	1,592	1,063	529	.....	...	
4	Ahmednagar ...	2,760	2,760	.....	.....	.....	
5	Poona ...	3,124	2,277	847	.....	.....	
6	Sátára ...	741	741	.....	.....	.....	
7	Sholápur ...	1,565	1,565	.....	.....	.....	
	Total ...	11,064	9,647	1,417	.....	.....	

66. The classification of the sums of money accepted under Section 67, in amounts of rupee one and upwards to the maximum permitted by the law, is, as directed in Government Resolution No. 1899 of 13th March 1891, in the Revenue Department, given in the following statement:—

No.	Division.	Number of cases in which compensation was fixed at rupees																								
		land under.	2 "	3 "	4 "	5 "	6 "	7 "	8 "	9 "	10 "	11 "	12 "	13 "	14 "	15 "	16 "	17 "	18 "	19 "	20 "	21 "	22 "	23 "	24 "	25 "
1	East Khândesh...	351	83	45	40	33	20	7	9	4	12	6	7	6	3	4	3	1	3	1	..	2	1	1	1	4
2	West Khândesh...	239	99	57	27	29	16	10	11	10	18	4	5	7	2	5	4	..	5	1	2	2	1	..	..	2
3	Nâsik .. ..	216	171	111	100	75	71	62	34	31	38	2	28	5	9	23	2	5	2	2	29	3	..	..	3	12
4	Ahmednagar ..	1,543	546	254	123	114	53	34	24	16	14	7	3	5	3	3	2	..	2	3	1	1	2	..	1	2
5	Poona .. ..	818	468	249	171	165	85	63	53	18	53	18	34	11	9	4	17	2	8	3	3	3	5	3	..	8
6	Sâtâra .. ..	301	157	69	47	23	17	8	5	3	3	6	1	1	1	2	..	..	..	1	..	..	..	..	..	..
7	Sholâpur ..	1,135	272	74	29	22	7	8	6	5	2	..	..	1	..	2	..	..	1	..	..	..	..	..	..	..
	Total ..	4,603	1,799	859	537	466	269	107	141	85	140	43	81	36	27	43	28	8	21	10	36	11	10	4	5	23

No.	Division.	Number of cases in which compensation was fixed at rupees																									Total.
		26 and under.	27 "	28 "	29 "	30 "	31 "	32 "	33 "	34 "	35 "	36 "	37 "	38 "	39 "	40 "	41 "	42 "	43 "	44 "	45 "	46 "	47 "	48 "	49 "	50 "	
1	East Khândesh..	2	2	..	..	..	..	1	..	1	1	1	..	..	1	..	1	2	..	..	..	..	..	..	..	3	666
2	West Khândesh..	1	1	..	..	..	2	..	..	1	1	1	1	..	1	..	..	..	..	..	..	..	1	..	..	7	575
3	Násik ..	..	1	3	..	10	1	..	..	1	1	4	..	1	..	6	1	..	..	..	..	..	..	1	..	1,063	
4	Ahmednagar ..	..	..	..	1	1	..	..	..	..	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..	2,760	
5	Poona ..	3	1	1	..	2	..	1	1	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	2,277	
6	Sátara ..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	741	
7	Sholápur..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	1,565	
	Total ..	6	5	5	1	13	3	2	1	2	4	6	1	1	2	7	2	2	..	..	..	..	1	1	10	9,647	

The very large falling of, *viz.* 57 per cent., in the number of cases dealt with under Section 67 of the Forest Act, in the East Khándesh Division, during the twelve months 1st April 1892 to 31st March 1893, compared with the twelve months preceding, is to be accounted for by offences of illicit grazing not being treated, as before, under Section 67, subsequent to the issue of Government Resolution No. 8626, dated 3rd November 1892: and some cases of breach of the rules published under Section 41 of the Forest Act were let off with a warning instead of being disposed of under Section 67.

In the West Khándesh, Násik, and Poona divisions no case was compounded under Section 67 after the receipt, by the Divisional Forest Officer, of Government Resolution No. 7907, dated 6th October 1892. And in the other divisions, Sátára and Sholápur, very few cases were disposed of under this provision of the forest law after November 1892.

67. The District Magistrate of Poona has issued circular instruction to his subordinate Magistrates to decline to issue process if there has been inordinate delay in bringing complaints before them in connection with forest offences, and has told them that a delay of over six weeks from the date of the offence should ordinarily be considered "inordinate delay;" at the same time he has specially warned them that when from the papers the delay seems to be satisfactorily accounted for, they are not to hesitate to issue process. A period of limitation cannot, it would seem, be prescribed legally, and a Magistrate could not well refuse to take up a complaint on such grounds. But the order has undoubtedly worked beneficially in the Poona District, for it has stirred up the forest subordinates to be more prompt and punctual in treatment of forest crime and to avoid procrastinating and vexatious delays, which undoubtedly contribute to the failure of prosecutions, by giving time to the accused persons to square hostile witnesses, and by making such ancient history of the offence, that the witnesses, who mostly belong to the uneducated classes, forget the facts, and under cross-examination by astute vakils come hopelessly to grief over salient points in the prosecution evidence.

68. Every forest offence is required to be reported to the Divisional Forest Officer by the Range Forest Officer, and the order in writing of the former has to be obtained before a prosecution can be instituted; and this precaution is of itself productive of delay in lodging complaints. At the same time it gives time for the accused persons to get at the prosecution witnesses; and it is undoubtedly one of the chief reasons for a considerable percentage of acquittals in prosecuted cases, for the witnesses who have deposed against the accused when the preliminary inquiries were made, turn round and tell a different tale when placed in the witness box before the trying Magistrate. However, notwithstanding these disadvantages, the precaution is judicious, and works beneficially on the whole; but it should be taken into consideration when a Forest Officer is being judged as to his treatment of forest offences by the percentage of acquittals of cases prosecuted in his division.

#### (2). *Protection from fire.*

69. The following statement gives the results of fire conservancy in the several divisions of the Central Circle during the forest year, as compared with